WP(C) 4749/2007
BEFORE
HON'BLR MR JUSTICE AMITAVA ROY

Heard Mr K.Gogoi, learned counsel for the petitioner. Also heard Mr P.Roy, learned State counsel.

The order under challenge is dated 18.5.2007 passed by the Additional Deputy Commissioner, Dhemaji transferring the petitioner from the establishment of the Deputy Commissioner, Dhemaji to that of the Sub Divisional Officer(Civil) , Jonai. The petitioner contends that as this order came on the heels of the earlier dated 15.6.2006 whereby he was transferred to Dhemaji, the same deserves interference of this Court. The petitioner is presently on earned leave and in the meanti me , on 17.8.2007, a representation has been submitted by his wife before the Deputy Commissioner, Dhemaji for reconsideration of the order which, according to him , lies unattended till date.

Mr Gogoi has urged that having regard to the frequency of the petitioner's transfer , it is manifest that no public interest is involved and the impugned order being in violation of the transfer guidelines of the government employees, it ought to be set aside.

Mr Roy, on the other hand, submits that it being permissible depending on the administrative exigencies to transfer an employee within three years of his posting at a particular station, the impugned order on this ground cannot be impeached .

Having regard to the constricted scope of interference of this Court with an order of transfer in exercise of its power of judicial review, this Court is not inclined to interfere with order impugned. The petition is conspicuously silent as to the manner in which the transfer guidelines ,according to the petitioner has been infringed.

Be that as it may, as the representation of his wife is stated to be pending before the Deputy Commissioner, Dhemaji, it would be in the discretion of the said authority to consider and dispose of the same on merits being uninfluenced by the rejection of this petition.

The petition stands closed in the above terms. No costs.